

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 8TH DAY OF JUNE 1998

B E F O R E

THE HON'BLE MR. JUSTICE V. GOPALAGOWDA

WRIT PETITION NO.23536/1992

BETWEEN:

Smt.Elizabeth Karu Souza,
Asst. Teacher, St. Francis
Xavier Higher Primary School,
Chikkakammanahalli,
Kottigere Post,
Bangalore South Taluk.

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... Petitioner.

(By Sri.U.Abdul Khader for Petr. - absent.)

AND:

1. State of Karnataka,
rep. by Secretary,
Education Dept., M.S.Building,
Bangalore - 1.
2. Director of Public Instructions,
(Primary Education),
Nrupathunga Road, Bangalore - 1.
3. Deputy Director of Public
Instructions, Kalasipalayam,
Bangalore - 2.

... 2/-

4. The Asst. Educational Officer,
South Range III, Opp. Cauvery
Bhavan, K.G.Road,
Bangalore - 9.

... Respondents.

(By Sri.Jerome D'Souza for Respdts. - absent.)

This Writ Petition filed under Article 226 of the Constitution of India with an affidavit praying to: Direct the respondents to settle and pay the arrears of salary for the period 1.7.87 to 30.6.89 forthwith and etc.

This Writ Petition coming on for preliminary hearing in 'B' group this day, the Court made the following:

O R D E R

Despite number of calls, no representation is made on behalf of the petitioner and further this writ petition is covered by the judgment of this court rendered in W.A.Nos.1833-36/95 and connected writ petitions (D.D. on 30/5/98). Admittedly, the petitioner has not availed alternate remedy provided to him in the Karnataka Education Act 1993. He is at liberty to approach the forum by initiating appropriate proceedings under the Act, Hence the writ petition is dismissed with a liberty to the petitioner to

... 3/-

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approach the proper forum within six weeks and the said Forum can consider the pendency of the writ petition before this court at the time of considering application for condonation of delay and the case may be heard on merits and disposed of in accordance with law.

Sd/- Judge.

bsr(o.s.)

r.by: *[Signature]*
19/8/98

c.by: *[Signature]*

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Assistant Registrar
High Court of Karnataka, 20.8.1
Bangalore-560 001



